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*Attorneys for Defendants*  
*Irco GROUP CORP. and*  
*Irco DISPLAY DEVICES CO., LTD.*

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION,

) Case No. 3:07-cv-05944-JST

) MDL No.: 1917

THIS DOCUMENT RELATES TO:

*ALL INDIRECT PURCHASER ACTIONS*

) **DECLARATION OF STUART C.**  
) **PLUNKETT IN SUPPORT OF IRICO**  
) **DEFENDANTS' REPLY IN SUPPORT**  
) **OF IRICO DEFENDANTS' MOTIONS**  
) **TO DISMISS CLAIMS OF INDIRECT**  
) **PURCHASER PLAINTIFFS FOR LACK**  
) **OF SUBJECT MATTER**  
) **JURISDICTION (ECF Nos. 5409 and**  
) **5411)**

) **Date: May 30, 2019**

) **Time: 2:00 pm**

) **Judge: Hon. Jon S. Tigar**

) **Courtroom: 9**

1 I, Stuart C. Plunkett, declare as follows:

2 1. I am an attorney admitted to practice law in this Court and in the State of  
3 California and am a partner with the law firm of Baker Botts L.L.P., which represents Defendants  
4 Irico Group Corporation (“Irico Group”) and Irico Display Devices Co., Ltd. (“Irico Display”) (collectively, “Irico Defendants”). I make this Declaration based on my personal knowledge and  
5 in support of the Irico Defendants’ Amended Motions to Dismiss for Lack of Subject Matter  
6 Jurisdiction.  
7

8 2. Attached hereto as Exhibit A is a true and correct copy of a Reply on Approval of  
9 CEIEC Accepting Irico Electronics Import & Export Company as Its Subsidiary issued by  
10 Shaanxi Provincial Commission for Foreign Economic Relations and Trade on February 10,  
11 1987, and a translation thereof.

12 3. Attached hereto as Exhibit B is a true and correct copy of an online printout of the  
13 China National Enterprise Credit Information Publicity Record for China National Electronics  
14 Import & Export Caihong Co. Ltd. (“CNEIECC”) retrieved on September 17, 2018, from  
15 <http://www.gsxt.gov.cn>, and a translation thereof. As indicated on the website for the Chinese  
16 Government’s Department of Credit Supervision and Administration of the State Administration  
17 for Market Regulation (the “Department”), the Department maintains the National Enterprise  
18 Credit Information Publicity System—the public database of registered Chinese corporations  
19 that maintains the China National Enterprise Credit Information Publicity Record for CNEIECC.  
20 *See* Exhibit K attached herein. As indicated on the Department’s website, the Department is  
21 responsible for “supervision and inspection on the registration of market entities” as well as “the  
22 construction and management of” the online information system. *See* Exhibit K attached herein.  
23 Thus, as indicated by the Department’s website, the Department’s database records—including  
24 the record for CNEIECC—sets out a matter observed by the Department while under a legal duty  
25 to report. *See* Exhibit K attached herein.

26 4. Attached hereto as Exhibit C is a true and correct copy of a Certificate of  
27 Dissolution for Irico (USA) Inc. filed by Liu Feng on February 28, 2003, with the State of  
28 California’s Office of the Secretary of State.

1           5.       Attached hereto as Exhibit D is a true and correct copy of excerpts of the  
2 transcript of the second day of the deposition of Wang Zhaojie on March 7, 2019 (“Wang Dep.  
3 (Day Two)”).

4           6.       Attached hereto as Exhibit E is a true and correct copy of excerpts of the transcript  
5 of the second day of the deposition of Zhang Wenkai on March 5, 2019 (“Zhang Dep. (Day  
6 Two)”).

7           7.       Attached hereto as Exhibit F is a true and correct copy of excerpts of the transcript  
8 of Curtis Milhaupt on April 24, 2019 (“Milhaupt Dep.”).

9           8.       Attached hereto as Exhibit G is a true and correct copy of excerpts of the  
10 transcript of Donald C. Clarke on March 26, 2019 (“Clarke Dep.”).

11          9.       Attached hereto as Exhibit H is a true and correct copy of an article written by  
12 Li-Wen Lin and Curtis Milhaupt titled “We Are the (National) Champions: Understanding the  
13 Mechanisms of State Capitalism in China” and published in the April 2013 volume of the  
14 Stanford Law Review.

15          10.      Attached hereto as Exhibit I is a true and correct copy of an article written by  
16 Curtis Milhaupt and Mariana Pargendler titled “Governance Challenges of Listed State-Owned  
17 Enterprises Around the World: National Experiences and a Framework for Reform” and  
18 published in the Fall 2017 volume of the Cornell International Law Journal.

19          11.      Attached hereto as Exhibit J is a true and correct copy of an article written by  
20 Daniel H. Rosen, Wendy Leutert, and Shan Guo titled “Missing Link: Corporate Governance in  
21 China’s State Sector” published as a special report for the Asia Law Society in November, 2018.

22          12.      Attached hereto as Exhibit K is a true and correct copy of an online printout of the  
23 Department Introduction for the Chinese Government’s Department of Credit Supervision and  
24 Administration of the State Administration for Market Regulation as retrieved on May 13, 2019  
25 from <http://www.samr.gov.cn/xyjgs/sjjs>, and a translation thereof.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
2 13th day of May, 2019, in San Francisco, California.

3 /s/ Stuart C. Plunkett

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